

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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CAPITAL MERCHANT SERVICES, LLC et al.,

Petitioners,

-v-

LATERAL RECOVERY, LLC et al.,

Respondents.
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21-cv-8784 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

Petitioners have filed a letter at Dkt. No. 12 informing the Court that the petition to stay and enjoin arbitration, the motion to stay arbitration, and the motion to remand back to state court have been rendered moot by virtue of a stipulation entered into between the parties in Case No.: 21-cv-9336, Dkt. No. 5. They request that the Court dismiss the instant proceeding as moot with each party to bear its own costs and fees.

Accordingly, it is hereby ORDERED that this action is DISMISSED without costs and without prejudice in light of the letter at Dkt. No. 12 and the stipulation in Case No.: 21-cv-9336 at Dkt. No. 5. Any pending motions are DISMISSED as moot, and all conferences and deadlines are CANCELLED. The Clerk of Court is respectfully directed to close the case.

SO ORDERED.

Dated: November 24, 2021
New York, New York



LEWIS J. LIMAN
United States District Judge